

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DANIEL RIVERA,

Plaintiff,

-against-

BETTER HOLDCO, INC.,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/7/2024

1:23-cv-10635 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of: (1) Defendant's motion to compel arbitration [ECF No. 10], which motion Defendant filed without first filing a pre-motion letter; (2) Defendant's pre-motion letter requesting leave to file a motion to dismiss [ECF No. 13]; and (3) Plaintiff's two letters requesting extensions of time to respond to the motion to compel and to oppose Defendant's pre-motion letter about the contemplated motion to dismiss [ECF Nos. 14, 15].

In the interest of managing the Court's docket and the docket in this case, IT IS HEREBY ORDERED that Defendant's pending motion to compel arbitration [ECF No. 10] is denied without prejudice, and Defendant's request for leave to file a motion to dismiss is granted.


By February 21, 2024, Defendant shall file one consolidated motion to compel arbitration or, in the alternative, to dismiss this case. Plaintiff shall respond by March 6, 2024. Any reply is due March 13, 2024.

Any request for an extension shall be made by letter (one letter only) filed on ECF at least 48 hours before the deadline.

The Clerk of Court respectfully is requested to terminate the motions pending at docket entries 10, 13, 14, and 15.

**SO ORDERED.**

**Date: February 7, 2024  
New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**